

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-27 are pending. Claims 1-27 stand rejected.

Claims 1, 9, and 17 have been amended. Claims 2, 10, and 18 have been cancelled.

Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicants submit that the amendments do not add new matter.

Rejections Under 35 U.S.C. 102(b)

Claims 1-27 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application No. 2002/0069094 of Bingham et al. ("Bingham"). The Examiner stated that

Referring to Claims 1, 9, and 17: Bingham method. Machine readable medium for providing instructions which cause the processor to perform the method (page 3 [0025]), and system (Figs. 1, 2a, 2b, 3) for performing the method comprising: receiving a request for a function space at a digital processing system, the digital processing system containing an availability information for one or more function spaces at a plurality of remote properties and a set pricing rules for one or more function spaces, the request including a plurality of criteria (page 1 [0008], page 3 [0029], Fig. 4 (404), (410); determining an availability of the requested function space based upon the availability information and one or more of the criterion (Fig. 5 (512) Are the Specified Meeting Facility Resources Available for Reservation?, page 1 [0008], page 4 [0033]) and determining a price for the requested function space based upon the set of pricing rules and one or more of the criterion (page 1 [0008], page 4 [0033], Fig. 5 (516) Price the Meeting Package Based on the Customer Profile).

(p. 2-3, Office Action 1/18/05)

Applicants respectfully submit that claim 1 is not anticipated by Bingham under 35 U.S.C. 102§(b). Amended claim 1 includes the following limitations:

A method comprising:

receiving a request for a function space at a digital processing system, the digital processing system containing an availability information for one or more function spaces at a plurality of remote properties and a set of pricing rules for one or more function spaces, the set of pricing rules including pricing rules pertaining to date, day-part, current demand or supplementary sales, the request including a plurality of criteria, each criterion corresponding to one or more of the pricing rules;

determining an availability of the requested function space based upon the availability information and one or more of the criterion; and

determining a price for the requested function space based upon the set of pricing rules and one or more of the criterion.

(Amended claim 1) (emphasis added)

Applicants respectfully submit that Bingham does not disclose the limitation of a set of pricing rules, including pricing rules pertaining to date, day-part, current demand or supplementary sales, where the pricing rules and one or more criterion corresponding to one or more pricing rules are the basis for determining a price for requested function space.

In Bingham, rather, a package is defined based upon criteria received from the user. If the user's criteria can be accommodated, a price is then "generated" based upon the criteria. That is, the user specifies what they want, and if the request can be fulfilled, a reservation is made with a corresponding price based upon the user's input.

In contrast, claim 1 uses a set of "pricing rules" that include pricing rules pertaining to date, day-part, current demand and supplementary sales, along with one or more of the criterion received from the user. Bingham does not disclose basing the price on pricing rules as claimed.

Bingham discloses a set of "reservation rules", but these are not "pricing rules" as claimed. Bingham gives examples of such rules as a requirement of a certain number of guestrooms being reserved; and a certain dollar value of food and beverages purchased in conjunction with the reservation of a meeting room. That is, in Bingham, if the user does not meet threshold requirements of "reservation rules", a reservation will not be made.

In contrast, claim 1, as amended, uses pricing rules (which may include a number of guest rooms or amount of food ordered), in conjunction with the user provided criterion to determine a price for the requested function space.

For these reasons applicants respectfully submit that claim 1 is not anticipated by Bingham. Given that claims 3 – 8, depend, directly or indirectly, from claim 1, applicants respectfully submit that claims 3 – 8, are likewise, not anticipated by Bingham.

Moreover, claims 9 and 17 have been amended to include the limitations of a set of pricing rules, including pricing rules pertaining to date, day-part, current demand or supplementary sales, where the pricing rules and one or more criterion corresponding to one or more pricing rules are the basis for determining a price for requested function space. For the reasons discussed above, applicants respectfully submit that claims 9 and 17 are not anticipated by Bingham. Given that claims 11 – 16 and claims 19 - 24, depend, directly or indirectly, from claims 9 and 17, respectively, applicants respectfully submit that claims 11 – 16 and claims 19 – 24, are likewise, not anticipated by Bingham.

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 3/10/05

By: Tom Van Zandt
Tom Van Zandt
Reg. No. 43,219

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(408) 720-8300